

AFFIDAVIT OF SERVICE

**UNITED STATES DISTRICT COURT
SOUTHERN District of New York**

Index Number: 07 CV 10345

Date Filed: _____

Plaintiff:

MERCHANT CASH & CAPITAL, LLC

vs.

Defendant:

**FRIED OKRA, INC, D/B/A THOROUGHBREDS RESTAURANT,
THOROUGHBREDS RESTAURANT, LP, AND TONY BENNETT**

For:

Nicholas P Guiliano
BENNETT, GUILIANO, MCDONNELL & PERRONE,
494 Eighth Ave, 7th Floor
New York, NY 10001

Received by KT Consultants to be served on **THOROUGHBREDS RESTAURANT LP C/O C MICHAEL STEVENS, 9706 N KINGS HWY, MYRTLE BEACH, SC 29572**.

I, Ken Thrasher, being duly sworn, depose and say that on the 11th day of December, 2007 at 4:55 pm, I:

served a **CORPORATION** by delivering a true copy of the **SUMMONS AND COMPLAINT, INDIVIDUAL RULES AND PROCEDURES OF JUDGE SHIRA A SCHEINDLIN, AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J PECK** with the date and hour of service endorsed thereon by me, to: **THOMAS WAXENFELLER** as **MANAGER** for **THOROUGHBREDS RESTAURANT LP**, at the address of: **THOROUGHBREDS RESTAURANT, 9706 N KINGS HWY, MYRTLE BEACH, SC 29572**, and informed said person of the contents therein, in compliance with state statutes.

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.



Ken Thrasher
Process Server

KT Consultants
726 Racewater Dr.
Myrtle Beach, SC 29588
(843) 222-3309

Our Job Serial Number: 2007001764

Subscribed and Sworn to before me on the 11th day of December, 2007 by the affiant who is personally known to me.



NOTARY PUBLIC

My Commission expires: FEBRUARY 21, 2017